

### **REMARKS/ARGUMENTS**

Claims 1 – 4 and 6 – 29 remain in this application. Claims 1 and 26 have been amended. Claims 10-13 and 19-25 have been withdrawn as a result of an earlier restriction requirement. In view of the examiner's earlier restriction requirement, applicant retains the right to present claims 10-13 and 19-25 in a divisional application.

#### **§ 103 Rejections**

Claims 1, 2, 6, 8, 9, 14 – 18 and 26 - 29 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable for obviousness over Morse (U.S. Patent No. 6,960,235) in light of Burdon, et al (WO 00/21659) and Haga (U.S. Publication No. 2001/0016188). Claim 7 stands rejected under U.S.C. § 103 (a) as being unpatentable for obviousness over Morse (U.S. Patent No. 6,960,235) in light of Burdon, et al (WO 00/21659) and Haga (U.S. Publication No. 2001/0016188), as applied to claim 1 above, and further in view of Tonkovich, et al (WO 01/12312).

Claims 1 and 26 have been amended herein to recite, in part that the subject microstructure is "supported between two or more planar substrates comprised of glasses, glass ceramics, ceramics, metals, semiconductors such as silicon or combinations thereof." This amendment is believed to be supported by the description and figures generally, and particularly by text at paragraphs [0037] and [0049] of the specification, for example.

The presence of substrates separate from the frit-comprised walls or sintered frit walls, as recited in the presently amended claims, allows for better creation and preservation of desired shapes and structures relative to the disclosure of Burdon, as described in the present specification, such as in paragraph [0049]. Relative to Morse and other similar references where no frit-comprised material is employed, the invention as presently claimed also allows for separate optimization of the fluid-contacting material from that of the substrate. It is believed that this additional recited feature, in combination with

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the other features recited in claims 1 and 26, provides new and non-obvious improvement over the disclosures of the cited references individually and in combination.

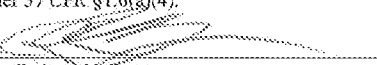
Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.


Applicant believes that a three-month extension of time is necessary to make this Reply timely, and a request for such, together with an RCE, is submitted herewith. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Gregory V. Bean at 607-974-2698.

Respectfully Submitted,

DATE: 16 Nov 2010

<p><b><u>CERTIFICATE OF MAILING OR TRANSMISSION</u></b> I hereby certify that this paper and/or fee or charge authorization is being transmitted to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on - <u>6 Nov</u> via: <u>2010</u> <input checked="" type="checkbox"/> the Electronic Filing System of the U.S. Patent and Trademark Office under 37 CFR §1.6(a)(4). Signature:  Gregory V. Bean</p>
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Gregory V. Bean  
Attorney for Applicant  
Registration Number: 36,448  
Corning Incorporated  
Intellectual Property Department  
Mail Stop: SP-TI-03-1  
Corning, NY 14831  
Phone: 607-974-2698